

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: PROCESSED EGG PRODUCTS  
ANTITRUST LITIGATION**

**: MDL No. 2002  
: 08-md-02002**

**THIS DOCUMENT APPLIES TO:  
All Direct Purchaser Actions**

**:**  
**:**

**STIPULATION**

It is hereby stipulated and agreed, by and between counsel for Plaintiffs in the Direct Purchaser actions and counsel for the Moving Defendants in docket entry number 67, that:

1. The allegations contained in the Consolidated Amended Class Action Complaint filed on January 30, 2009 supersede the allegations contained in each of the complaints previously filed on behalf of Direct Purchaser Plaintiffs in the actions transferred to the Court by the Judicial Panel on Multidistrict Litigation pursuant to its order of December 2, 2008, all related actions originally filed in this Court or transferred or removed to this Court, and any “tag-along” actions transferred to this Court by the Judicial Panel on Multidistrict Litigation. A list of the previously-filed complaints affected by this stipulation is attached as Exhibit A.

2. By separate Stipulation, counsel for Plaintiffs in the Direct Purchaser actions and counsel for Defendants have agreed that no entity named “Michael Food Egg Products Company” has been named as a defendant in the Consolidated Amended Complaint filed by Direct Purchaser Plaintiffs, and Direct Purchaser Plaintiffs do not contend that any entity bearing that name is a defendant in this MDL No. 2002.

3. Direct Purchaser Plaintiffs have voluntarily dismissed without prejudice, pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, the following defendants: Taylor

Egg Products, Inc.; Siegel Egg Co., Inc.; Newburg Egg Corp.; Deb-El Foods, Inc.; Papetti's Hygrade Egg Products, Inc.; Sonstegard Foods Co.; and Pilgrim's Pride Corp.

4. As a result of the agreements set forth in paragraphs 1 and 2, and the dismissals without prejudice referenced in paragraph 3 herein, Defendants' Motion to Dismiss Complaints of Direct Purchaser Plaintiffs that have not Joined the Consolidated Amended Complaint and to Confirm that the Consolidated Amended Complaint Supersedes the Allegations of the Remaining Complaints, filed on February 27, 2009, is moot and is hereby withdrawn by the Moving Defendants.

5. Liaison Counsel for the Direct Purchaser Plaintiffs represents that he has authority from counsel for each of the direct purchaser plaintiffs to enter into this Stipulation.

Dated: April 1, 2009

/s/ Steven A. Asher

Steven A. Asher, Esq.  
Weinstein Kitchenoff & Asher LLC  
1845 Walnut Street, Suite 1100  
Philadelphia, PA 19103  
Tel: 215-545-7200  
Fax: 215-545-6535  
asher@wka-law.com  
***Liaison Counsel for Direct Purchaser Plaintiffs***

Dated: April 1, 2009

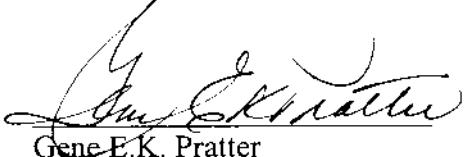
/s/ Nathan P. Eimer

Nathan P. Eimer  
Eimer Stahl Klevorn & Solberg LLP  
224 S. Michigan Avenue, Suite 1100  
Chicago, IL 60604  
Telephone: 312-660-7601  
Facsimile: 312-692-1718  
***Counsel for Defendants Land O'Lakes, Inc., Moark, LLC, and Norco Ranch, Inc. and on Behalf of Moving Defendants***

It is **SO ORDERED.**

BY THE COURT:

Dated: 4/1/09

  
Gene E.K. Pratter  
United States District Judge  
*re Stipulation of 4/1/09*

**EXHIBIT A**

*Bemus Point Inn, Inc. v. United Egg Producers, Inc., et al.*, 08-cv-04750 (E.D. Pa.)

*Brigiotta's Farmland Produce and Garden Center, Inc., v. United Egg Producers, Inc., et al.*, 08-cv-04967 (E.D. Pa.)

*Country Foods v. Hillandale Farms of Pa., Inc., et al.*, 08-cv-05078 (E.D. Pa.)

*Eby-Brown Company, LLC v. United Egg Producers, Inc., et al.*, 08-cv-05 (E.D. Pa.)

*Eggology, Inc. v. United Egg Producers, Inc., et al.*, 08-cv-05168 (E.D. Pa.)

*Goldberg and Solovy Foods, Inc. v. United Egg Producers, Inc., et al.*, 08-cv-05166 (E.D. Pa.)

*John A. Lisciandro v. United Egg Producers, et al.*, 08-cv-05202 (E.D. Pa.)

*Julius Silvert, Inc. v. Golden Oval Eggs LLC, et al.*, 08-cv-05174 (E.D. Pa.)

*Karetas Foods, Inc. v. Cal-Maine Foods, Inc., et al.*, 08-cv-04950 (E.D. Pa.)

*Nussbaum - SF, Inc. v. United Egg Producers, Inc., et al.*, 08-cv-04819 (E.D. Pa.)

*Oasis Foods Company v. Michael Foods, Inc., et al.*, 08-cv-05104 (D.N.J.)

*SensoryEffectsFlavor Co. v. United Egg Producers, Inc., et al.*, 08-cv-05970 (D. Minn.)

*Sicilian Chefs, Inc. v. Michael Foods, Inc., et al.*, 08-cv-06036 (D. Minn.)

*Somerset Industries, Inc. v. Cal-Maine Foods, Inc., et al.*, 08-cv-04676 (E.D. Pa.)

*The Egg Store, Inc. v. United Egg Producers, Inc., et al.*, 08-cv-04880 (E.D. Pa.)

*T.K. Ribbing's Family Restaurant v. United Egg Producers, et al.*, 08-cv-04653 (E.D. Pa.)

*Wixon, Inc. v. United Egg Producers, Inc., et al.*, 08-cv-05368 (E.D. Pa.)

*Zaza, Inc. v. Michael Foods, Inc., et al.*, 08-cv-05262 (D. Minn.)

*Zeqiri Corp. v. Golden Oval Eggs, LLC, et al.*, 2008-cv-06239 (D. Minn.)